

Form 4.

# Affidavit Accompanying Motion for Permission to Appeal In Forma Pauperis

United States District Court for the

*Middle District of Alabama*  
RECEIVED  
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AUG 29 2006  
SEP 11 A 9:27  
Case No. *06-00160 CV-W-E*  
App # *06-13767-A*

A. B., Plaintiff

*Marvin C Thompson*

v.

C. D., Defendant.

*Steven woods, Larry Clark, et al. Def.*

**Instructions:** Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

## Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Date:

*8/24/06*

Signed:

*Marvin Thompson*

My issues on appeal are:

1. For both you and your spouse, estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <i>450.00</i>	\$ _____	\$ <i>0</i>	\$ _____
Self-employment	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Income from real property (such as rental income)	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Interests and dividends	\$ <i>6</i>	\$ _____	\$ <i>0</i>	\$ _____
Gifts	\$ <i>157</i>	\$ _____	\$ <i>0</i>	\$ _____
Alimony	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Child support	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Retirement (such as Social Security, pensions, annuities, insurance)	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Disability (such as Social Security, insurance payments)	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Unemployment payments	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Public-assistance (such as welfare)	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
Other (specify): _____	\$ <i>0</i>	\$ _____	\$ <i>0</i>	\$ _____
<b>Total monthly income:</b>	\$ <i>607</i>	\$ _____	\$ <i>0</i>	\$ _____

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross Monthly Pay
MBM Trucking	hagranger GA	May 03 Nov 05	3,000.00
B+J Trucking	hagranger GA	Feb 06 Apr 06	1,000.00

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross Monthly Pay

4. How much cash do you and your spouse have? \$ 20.06

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
		\$	\$
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home (Value)	Other Real Estate (Value)	Motor Vehicle #1 (Value)
		Make & Year: <u>1995 Pontiac</u>
		Model: <u>Grand Prix</u>
		Registration #: <u>unknown</u>
Other Assets (Value)	Other Assets (Value)	Motor Vehicle #2 (Value)
		Make & Year: <u>1974 Ford</u>
		Model: <u>Ford F100 pickup</u>
		Registration #: <u>unknown</u>

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse

## 7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>Mother John R. Thompson</u>	<u>mother</u>	<u>84</u>
_____	_____	_____
_____	_____	_____

## 8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
For home-mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ _____
Are real-estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>0</u>	\$ _____
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>0</u>	\$ _____
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ _____
Food	\$ <u>0</u>	\$ _____
Clothing	\$ <u>0</u>	\$ _____
Laundry and dry-cleaning	\$ <u>0</u>	\$ _____
Medical and dental expenses	\$ <u>0</u>	\$ _____
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)	\$ <u>0</u>	\$ _____
Homeowner's or renter's	\$ <u>0</u>	\$ _____
Life	\$ <u>0</u>	\$ _____
Health	\$ <u>0</u>	\$ _____
Motor Vehicle	\$ <u>70 mo</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments) (specify): _____	\$ <u>0</u>	\$ _____
Installment payments	\$ <u>0</u>	\$ _____
Motor Vehicle	\$ <u>0</u>	\$ _____
Credit card (name): _____	\$ <u>0</u>	\$ _____
Department store (name): _____	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____
<b>Total monthly expenses</b>	\$ <u>70 mo</u>	\$ _____

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No

If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much: \$ \_\_\_\_\_

If yes, state the attorney's name, address, and telephone number:

11. Have you paid – or will you be paying – anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? \$ \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

*I am incarcerated I have been paying bills and upkeep for my myself + mother for over 3 1/2 years I have filed Chapter 7 Bankruptcy over a year ago and am unemployed now.*

13. State the address of your legal residence.

*2268 15th Ave S.W Lanett Ala. 36863 84302-020  
But I am now AT FCI ~~at Atlanta~~ P.O Box 5000  
Oakdale LA. 71463 Vernon unit*

Your daytime phone number: ( ) \_\_\_\_\_

Your age: 45 Your years of schooling: 14

Your Social Security number: 421 92 1829

(As amended Apr. 24, 1998, eff. Dec. 1, 1998.)

## Inmate Statement



Inmate Reg #:	84302020	Current Institution:	Oakdale FCI
Inmate Name:	THOMPSON, MARVIN	Housing Unit:	VERNON
Report Date:	08/24/2006	Living Quarters:	V07-415L
Report Time:	9:13:55 AM		

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction	Encumbrance	
						Amount	Amount	Ending Balance
OAK	8/24/2006 6:16:26 AM	33323406			Western Union	\$100.00		\$100.32
OAK	8/17/2006 6:17:49 PM	ITS0817			Phone Withdrawal	(\$6.00)		\$0.32
OAK	8/16/2006 4:49:35 PM	ITS0816			Phone Withdrawal	(\$4.00)		\$6.32
OAK	8/15/2006 11:28:58 PM	ITS0815			Phone Withdrawal	(\$3.00)		\$10.32
OAK	8/15/2006 4:48:49 PM	ITS0815			Phone Withdrawal	(\$7.00)		\$13.32
OAK	8/14/2006 7:23:45 PM	ITS0814			Phone Withdrawal	(\$9.00)		\$20.32
OAK	8/14/2006 4:50:19 PM	ITS0814			Phone Withdrawal	(\$5.00)		\$29.32
OAK	8/12/2006 5:26:11 AM	TX081206			Transfer - In from TRUFACS	\$34.32		\$34.32
OAK	7/25/2006 3:21:46 AM	TX072506			Transfer - Out to TRUFACS	\$0.00		\$0.00
OAK	5/13/2006 5:15:25 AM	TX051306			Transfer - In from TRUFACS	\$0.00		\$0.00

1

Total Transactions: 10

Totals: \$100.32 \$0.00

### Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
OAK	\$100.32	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.32
Totals:	\$100.32	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.32

I've been incarcerated since April 8<sup>th</sup> 06 This is the only form I have access to I have not had over \$500.00 in the past 4 months while incarcerated. The letter from this Court was received on 8/23/06 my unit staff was not available to give me this printout until today I complied as best I could

<http://10.33.16.107/umr/InmateStatementCombined.aspx> 8/24/2006